

May 4, 2006

Via Electronic Submission

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Ex Parte Communication
Developing a Unified Inter-carrier Compensation Regime, CC Docket
No. 01-92.

Dear Ms. Dortch:

This letter is to inform you that on May 3, 2006, Sprint Nextel Corporation ("Sprint"), through its representatives, Vonya McCann and Charles McKee, met with Tamara Preiss, Steve Morris, Jay Atkinson, Randy Clarke, and Chris Barnekov of the Wireline Competition Bureau to discuss USTelecom's proposed new rules, filed March 30, 2006, addressing the issue of "phantom traffic."

As an initial matter, Sprint noted that a specific set of rules governing the identification of traffic will not resolve the current disputes over intercarrier compensation or alleviate the need for Commission action on the broader issues raised in this docket. The existing compensation system is simply out of step with modern network technology. Any new traffic exchange rules should be constructed in the context of a system wide resolution. If, however, the Commission were to take action on phantom traffic before the larger docket is addressed, it should be aware of the limitations of USTelecom's new proposal.

In a sharp departure from its previous industry consensus position, USTelecom now proposes the mandatory population of the Jurisdiction Information Parameter ("JIP"). While the proposed rule acknowledges on its face that JIP cannot be relied upon to determine the jurisdiction of a call, it goes on to provide that failure to populate the JIP will lead to a potential claim for damages.

USTelecom is correct that JIP will not provide carriers with the geographic location of the calling party, the jurisdiction of the call or even the identity of the party responsible for payment (if, for example, the call is handled by an interexchange carrier). Yet despite these limitations, USTelecom proposes that the FCC implement an entirely new complaint procedure to enforce this obligation and vest carriers with a right to seek damages. If, as USTelecom

acknowledges, JIP is not determinative of payment obligations, this procedure is destined to generate disputes as carriers litigate the significance of JIP on a case by case basis.

USTelecom also acknowledges that the population of JIP is not always technically feasible. However, the proposed procedures for establishing technical infeasibility are both time consuming and designed to generate litigation. Carriers must provide network information to the Commission to be published in a Public Notice, prepare reply comments to objecting carriers, and then "negotiate" with any objecting carrier to make alternative arrangements. Each of these negotiations is then subject to Commission mediation. All of this process is to be implemented to establish the exchange of information that USTelecom acknowledges will not determine the jurisdiction of a call.

Sprint noted that carriers are already addressing the issue of traffic identification through contract negotiations. While carriers acknowledge that traffic cannot always be measured in real time due to network limitations, they negotiate appropriate factors in their agreements to address these concerns.

Once again, Sprint encourages the Commission to address the broader issue of intercarrier compensation. Only by dealing with the source of these disputes will the Commission finally resolve the problem before it. USTelecom's proposed rules would only increase industry uncertainty and divert further resources to litigation rather than network investment.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being electronically filed with your office. Please associate this letter with the file in the above referenced matter.

Sincerely,

Sprint Nextel Corporation

/s/ Charles W. McKee
Charles W. McKee

cc: Tamara Preiss
Steve Morris
Jay Atkinson,
Randy Clarke
Chris Barnekov